

United States District Court
Western District of Texas
El Paso Division

FILED
Oct 22 2024
Clerk, U.S. District Court
Western District of
Texas

By: *MVM*
Deputy

UNITED STATES OF AMERICA

vs.

(1) YOHANGEL JAVIER
MARTINEZ-GONZALEZ

Defendant

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Case Number: EP:24-CR-01370(1)-KC
RFC

ORDER RESETTING PLEA

IT IS HEREBY ORDERED that the above entitled and numbered case is reset for PLEA in Magistrate Courtroom, Room 612, on the 6th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX, on:

Monday, November 04, 2024 at 9:30 AM

The Court finds that the interests of justice outweigh the interests of Defendant and the public in a speedy trial, in that more time is needed by Defendant for preparation of the defense of this case, and that the time from 11/01/2024 through November 04, 2024 , is excludable time within the meaning of the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*

The Clerk of the Court shall send a copy of this order to counsel for defendant, the United States Attorney, United States Pretrial Services and the United States Probation Office. Counsel for the defendant shall notify the defendant of this setting and, if the defendant is on bond, advise the defendant to be present at this proceeding.

IT IS FURTHER ORDERED that if for any reason the defendant or counsel is not available that the attorney of the defendant must file a motion for continuance waiving defendant's speedy trial rights for the period of the continuance.

In accordance with Federal Rule of Criminal Procedure 5(f), as amended by the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the Government is hereby notified of and ordered to comply with (1) the prosecutor's disclosure obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and (2) the possible consequences of violating this Order, which may include sanctions such as delay of trial or other proceedings, the exclusion of evidence, the giving of adverse jury instructions, the grant of new trial, the dismissal

of an action, or finding in contempt.

IT IS SO ORDERED this the 22nd day of October, 2024.



ROBERT F. CASTANEDA
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

USA

vs.

(1) YOHANGEL JAVIER
MARTINEZ-GONZALEZ

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NO: EP:24-CR-01370(1)-KC

DEFENDANT'S WAIVER OF RULE 32 TIME LIMITS

Rule 32 of the Federal Rules of Criminal Procedure and Rule CR-32 of the Local Court Rules of the United States Court for the Western District of Texas specify time limits for the disclosure and submission of the presentence report.

Having been fully apprised by my counsel of record of these time limits, I hereby knowingly and voluntarily waive the limits, set out in Fed. R. Crim. P. 32(e)(2), 32(f)(1), and 32(g).

I understand that by waiving these time limits, the time limits set out in Local Rule CR-32(b) will apply.

Date

Defendant

Attorney for Defendant

Assistant U.S. Attorney

APPROVED:

Date

ROBERT F. CASTANEDA
UNITED STATES MAGISTRATE JUDGE

